

REMARKS

Claims 1-9 are pending in this application.

Applicant amends independent claims 1, 2, 5 and 8 more clearly to recite the features of the primary and auxiliary dampers, namely the position of laminate film/coating agent being between the primary damper and the auxiliary damper. These amendments are merely clarifying amendments, and do not narrow the scope of equivalencies covered by the original claims 1, 2, 5 and 8. Also, Applicant rewrites claims 3 and 4 in independent form including the limitations of the original claims 1 and 2, respectively.

The Examiner cites two new references, and rejects claims 1-9 based on these references:

- claims 1, 2 and 5-9 under 35 U.S.C. § 102(b) as being anticipated by Casser; and
- claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Casser in view of Ohyaba et al. (Ohyaba).

Applicant respectfully traverses the Examiner's prior art rejections as follows.

Casser discloses a vibration dampening material and process for manufacturing said material for use in, among other things, speakers (*see Id.*, col. 1, lines 40-46). In particular, Casser discloses vibration dampening material 10 which includes core material 20 bonded together with layers 32 and/or 34 made of high modulus material 30 saturated with resin (*see Id.*, col. 9, line 41 through col. 10, line 4). Also, Casser discloses cover material 40 bonded to layer 32 and/or layer 34 (*see Id.*, col. 10, lines 13-23). *See also Id.*, Figs. 1-3.

That is, Casser simply discloses laminating damping material to exhibit high rigidity, vibration damping properties, chemical resistance, heat resistance, etc. One skilled in the art would readily appreciate that for such purposes, Casser's material is used as a single sheet.

Casser does not disclose or suggest that its cover material 40 is **between** core material 20 and layer 34 (or 32). Therefore, Casser does not disclose or suggest arranging primary damper and the auxiliary damper with laminate film/coating agent therebetween, as required by Applicant's claims 1, 2, 5 and 8.

Accordingly, Applicant's independent claims 1, 2, 5 and 8, as well as the dependent claims 6, 7 and 9 (which incorporate all the novel and unobvious features of their respective base claims), are not anticipated by (i.e., are not readable on) Casser at least for these reasons

With regard to the Examiner's §103 rejection of the dependent claims 3 and 4, the Examiner acknowledges that Casser does not disclose an auxiliary damper composed of a plurality of sheets, and relies on Ohyaba to supply this acknowledged deficiency.

The Examiner alleges that Ohyaba's damper 13 formed by mixing resin with an elastomer corresponds to a damper composed of a plurality of sheets, because in Ohyaba "an elastomer is introduced into the resin by way of graft copolymerization, making resin component in continuous state but rendering the elastomer component in discrete state, thereby forming a structure like a multi-layer structure" (Id., col. 5, lines 36-42). Applicant disagrees with the Examiner's conclusion, because the structure of Ohyaba's damper 13 (or 13') has nothing to do with an auxiliary damper being composed of plurality of sheets. That is, Ohyaba's Figs. 1, 2, 4a and 5a clearly illustrate that dampers 13 and 13' are single-sheet dampers.

Amendment Under 37 C.F.R. § 1.111
U.S. Appln No. 09/973,808

Q66213

Therefore, Applicant's claims 3 and 4 would not have been obvious from any reasonable combination of Casser and Ohyaba.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Stan Torgovitsky
Registration No. 43,958

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: September 8, 2003